



**Attorney General
Betty D. Montgomery**

August 23, 1996

Via Overnight Mail

Office of the Secretary
Federal Communications Commission
1919 M Street, N.W., Room 222
Washington, D. C. 20554

RECEIVED
AUG 26 1996
FCC MAIL ROOM
DOCKET FILE COPY ORIGINAL

Re: *In the Matter Policies and Rules Governing Pay-Per-Call and Other Information Services Pursuant to the Telecommunications Act of 1996, CC Docket No. 96-146, and In the Matter of Policies and Rules Implementing the Telephone Disclosure and Dispute Resolution Act, CC Docket No. 93-22.*

Dear Mr. Caton:

Enclosed please find the original and ten copies of the **Comments of the Public Utilities Commission of Ohio** in the above-referenced matter. Please return a time-stamped copy to me in the enclosed stamped, self-addressed envelope. A copy of these comments on diskette (DOS format, WordPerfect 5.1 format) has also been sent to Mary Romano of the Common Carrier Bureau, in accordance with the Comment Filing Procedures.

Thank you for your assistance in this matter.

Respectfully submitted,

Jodi J. Bair
Jodi J. Bair

Assistant Attorney General
Public Utilities Section
180 East Broad Street
Columbus, Ohio 43266-0573
(614) 466-4397
FAX: (614) 644-8764

JJB/kk

Enc.

cc: Mary Romano, Common Carrier Bureau
International Transcription Services, Inc.

No. of Copies rec'd
List ABCDE

029

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
Policies and Rule Governing Interstate)
Pay-Per-Call and Other Information)
Services Pursuant to the Telecom-)
munications Act of 1996)

In the Matter of)
)
Policies and Rules Implementing the)
Telephone Disclosure and Dispute)
Resolution Act)

RECEIVED
AUG 26 1996
FCC MAIL ROOM
CC Docket No. 96-146

CC Docket No. 93-22

DOCKET FILE COPY ORIGINAL

**COMMENTS OF
THE PUBLIC UTILITIES COMMISSION OF OHIO**

INTRODUCTION AND BACKGROUND

The Public Utilities Commission of Ohio (PUCO) hereby submits its comments pursuant to the Federal Communications Commission's (FCC's) Order and Notice of Proposed Rulemaking (NPRM) in CC Docket No. 96-146 (In the Matter of Policies and Rules Governing Interstate Pay-Per-Call and Other Information Services Pursuant to the Telecommunications Act of 1996). The FCC's Order and NPRM adopts certain rules pursuant to the directives of Section 228 of the Telecommunications Act of 1996 (1996 Act) and proposes additional rules to protect consumers who utilize information services.

The FCC previously issued a Further Notice of Proposed Rulemaking (FNPRM) in CC Docket No. 93-22 to propose new rules to correct abuses in the provision of pay-per-call and information services. Because the requirements of the Act accomplish the same goals as those set forth in the FNPRM that implemented the Telephone Disclosure and Dispute Resolution Act (TDDRA), the FCC is terminating CC Docket No. 93-22.

Section 228 of the 1996 Act directs the FCC, among other things, to promulgate rules that expand the restrictions on the assessment of charges for calls to toll-free numbers that provide information services. The Act also limits the conditions under which "presubscription" agreements can be entered into that allow for charges to be assessed for calls to toll-free numbers. Comments in this proceeding are due at the FCC on August 26, 1996 and Reply Comments are due by September 16, 1996.

DISCUSSION

The PUCO commends the FCC for adopting new rules and proposing additional rules, governing the provisioning of pay-per-call services. The new rules will provide a new level of protection to callers to information services, particularly those offered through a toll-free number.

In its Order and NPRM, the FCC proposes additional amendments to existing rules concerning presubscription agreements and billing format as well as limitations on how pay-per-call services may be accessed. Again, the PUCO commends the FCC for proposing these more stringent consumer protection rules. However, the PUCO proposes that an additional paragraph be added to Section 64.1504 to further protect callers to toll-free information service providers. Specifically, the PUCO recommends that the FCC prohibit information providers,

which are accessed through a toll-free number, from telling a caller to hang up and call a domestic or international toll number. Consumers are often led to believe that such calls are free or are unaware that the number they are being urged to call is international in nature and therefore quite expensive.

In support of its recommendations on the new and proposed rules, the PUCO notes that there has been a steady increase in the number of complaints to its Consumer Services Department from consumers regarding charges for calls to information services provided through both 900 and toll-free numbers. Through the first seven months of 1996, the PUCO had received 908 complaints relative to calls to information service providers accessed through 900 or toll-free numbers. The complaints often concern charges for calls originally placed to toll-free numbers that are then routed to regular toll numbers. Some of these calls are routed to international numbers. The charges for these calls then appear in the regular toll portion of the caller's bill and could ultimately lead to the consumer's loss of toll or local service. Complaints concerning these types of charges are particularly difficult to dispute or investigate as it is often impossible to identify the number originally dialed. Increasingly, the complaints concern charges for toll calls placed by consumers who were prompted to hang up and call a domestic or international toll number during the course of a call to a toll-free number.

CONCLUSION

In closing, the PUCO wishes to thank the FCC for the opportunity to file comments in this docket.

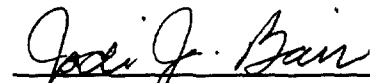
Respectfully submitted,

The Public Utilities Commission of Ohio

By its Attorneys:

Betty D. Montgomery
Attorney General of Ohio

Duane W. Luckey, Chief



Jodi J. Bair
Assistant Attorney General
Public Utilities Section
180 East Broad Street
Columbus, OH 43215-3793
(614) 466-4396
FAX: (614) 644-8764